



JCO5 Rec'd PCT/PTO 10 APR 2002

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ATTENTION: PCT LEGAL OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
SACCO, et al.

Serial No.: 09/486,660

Int'l. Application No.: PCT/IT98/00231

I.A. Filing Date: 08/11/98

Title: TRANSGENIC ANIMALS FOR THE
STUDY OF BIOLOGICAL, PHYSICAL
AND CHEMICAL TOXIC AGENTS

* Attorney Docket No.: 3695-0101P

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* Art Unit:

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* Examiner:

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23 APR 2002

Legal Coun.
International Division

April 10, 2002

**RENEWED REQUEST FOR STATUS UNDER 37 CFR 1.42
AND
RENEWED PETITION UNDER 37 CFR 1.47(A)**

Box: PCT
Assistant Commissioner for Patents
Washington, DC 20231

Attention: PCT Legal Office

04/15/2002 HNGUYEN 00000102 09486660

Sir:

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This is in response to the January 11, 2002 Decision that dismissed without prejudice Applicants' request for status under 37 CFR 1.42 along with their petition under 37 CFR 1.47(a). Reconsideration was originally set to be requested by March 11, 2002. A request for a one-month extension of time under 37 CFR 1.136(a) accompanies this Renewed Request & Petition.

Applicants respectfully renew their petition under the provisions of 37 CFR 1.47(a) that the subject U.S. patent application be accepted and processed by the USPTO in order to preserve the rights of the parties and to prevent irreparable damage. The fee set forth in 37 CFR 1.17(i) accompanied the original Petition & Request.

The discussion of the various issues raised in the Decision, as discussed below, follows the order on pages 3-5 of the Decision:

Sylvie Roncucci.

The Decision held that Applicants had failed to satisfactorily demonstrate that a *bona fide* attempt was made to present a complete copy of the application papers to Sylvie Roncucci for signature and had failed to indicate the last known address of Sylvie Roncucci.

Enclosed herewith is a Declaration under 37 CFR 1.132 of Beatrice Salvador, executed on March 14, 2002, which demonstrates that a *bona fide* attempt was made to present a complete copy of the application papers to Sylvie Roncucci for signature and which indicates the last known address of Sylvie Roncucci.

Roxanne Roncucci.

The Decision held that Applicants had failed to satisfactorily demonstrate that Ms. Anne Georgette Christiane Delachet, guardian of Roxanne Roncucci, has refused to sign the application papers.

Enclosed herewith is a Declaration under 37 CFR 1.132 of Peter Bromley, executed on February 8, 2002, which demonstrates that Ms. Delachet has refused to sign the application papers.

Conclusion

Applicants respectfully petition that the present application be accepted for United States national stage processing, without the signature of the guardian of Roxanne Roncucci, one of the heirs of deceased joint inventor Romeo Roncucci.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of one (1) month to April 11, 2002, in which to file a reply to the Office Action. The required fee of \$55.00 is enclosed herewith.

Should the PCT Legal Examiner wish to discuss any aspect of this matter with Applicants' representative, the PCT Legal Examiner is respectfully requested to telephone Richard Gallagher (Reg. No. 28,781) at (703) 205-8008.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *Richard L. Muncy* 28,781
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Enclosed:
Salvador Declaration
Bromley Declaration